

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

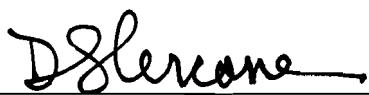
ERIC DONALD REED,)
Petitioner,)
v.) 2:07cv477
v.) Electronic Filing
v.)
ATTORNEY GENERAL OF)
PENNSYLVANIA, et al.,)
Respondents.)

MEMORANDUM ORDER

AND NOW, this 3rd day of August, 2007, after a petition for a writ of habeas corpus was filed by the petitioner, Eric Donald Reed, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the petitioner was accorded a time period in which to file written objections thereto, and upon consideration of the objections filed by the petitioner, and after independent review of the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the petition of Eric Donald Reed for a writ of habeas corpus is dismissed, and that a certificate of appealability is denied for lack of a viable federal constitutional issue.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.



David Stewart Cercone
United States District Judge

cc: Honorable Robert C. Mitchell
United States Magistrate Judge

Eric Donald Reed
FG-9279
SCI Huntingdon
1100 Pike Street
Huntingdon, PA 16654-1117

Rusheen R. Pettit, Esquire
Office of the District Attorney
401 Allegheny County Courthouse
Pittsburgh, PA 15219